

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SAVINGS BANK EMPLOYEES
RETIREMENT ASSOCIATION,

Plaintiff,

v.

BERKSHIRE BANK,

Defendant.

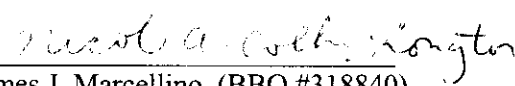
CIVIL ACTION
NO.

**CORPORATE DISCLOSURE STATEMENT OF DEFENDANT BERKSHIRE
BANK**

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, and to enable judges and magistrate judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel of record for defendant Berkshire Bank in the above-captioned matter certifies that Berkshire Hills Bancorp, Inc. is a public company that owns 100% of Berkshire Bank's stock.

BERKSHIRE BANK

By:


James J. Marcellino (BBO #318840)

Nicole A. Colby (BBO #657478)

McDermott Will & Emery

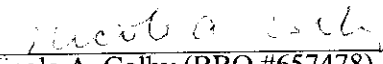
28 State Street

Boston, Massachusetts 02109

617-535-5000

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Defendant Berkshire Bank's Corporate Disclosure Statement has been served upon all counsel of record by first-class mail on this 19th day of January, 2005.


Nicole A. Colby (BBO #657478)

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